

ESTTA Tracking number: **ESTTA369170**

Filing date: **09/20/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91194703
Party	Defendant TEVA Pharmaceuticals USA, Inc.
Correspondence Address	LISA A. PIERONI KIRSCHSTEIN, ISRAEL, SCHIFFMILLER & PIERONI, PC 425 5TH AVENUE, 5TH FLOOR NEW YORK, NY 10016-2223 UNITED STATES lap@kirschsteinlaw.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Lisa A. Pieroni
Filer's e-mail	lap@kirschsteinlaw.com
Signature	/Lisa A. Pieroni/
Date	09/20/2010
Attachments	Opp. 91194703 Motion on Consent.pdf ( 3 pages )(82160 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD

-----X  
Mylan, Inc.,

Opposer,

v.

Opposition No. 91194703

Teva Pharmaceuticals USA, Inc.,  
Applicant.  
-----X

CONSENT MOTION TO EXTEND DISCOVERY & TRIAL PERIODS

TO THE COMMISSIONER OF PATENTS  
AND TRADEMARKS:

Applicant, Teva Pharmaceuticals USA, Inc. ("Applicant") hereby moves, with the consent of counsel for Opposer, for a 30-day extension of the discovery and trial periods. This consent motion is not filed for purposes of delay. The parties are making this motion in good faith in an effort to compile the requested information and comply with the discovery requirements. Accordingly, Applicant submits that good cause for the extension has been shown.

The deadlines in this proceeding are presently as follows:

Time to Answer	CLOSED
Deadline for Discovery Conference	CLOSED
Discovery Opens	CLOSED
Initial Disclosures Due	09/21/2010 (by agreement of counsel)
Expert Disclosures Due	01/05/2011
Discovery Closes	02/04/2011
Plaintiff's Pre-Trial Disclosures	03/21/2011
Plaintiff's 30-Day Trial Period Ends	05/05/2011
Defendant's Pre-Trial Disclosures	05/20/2011
Defendant's 30-Day Trial Period Ends	07/04/2011
Plaintiff's Rebuttal Disclosures	07/19/2011
Plaintiff's 15-Day Rebuttal Period Ends	08/18/2011


With the Board's approval of this motion, upon the expiration of the extension, the schedule of all dates for this case will be as follows:

Time to Answer	CLOSED
Deadline for Discovery Conference	CLOSED
Discovery Opens	CLOSED
Initial Disclosures Due	10/21/2010
Expert Disclosures Due	02/04/2011
Discovery Closes	03/06/2011
Plaintiff's Pre-Trial Disclosures	04/20/2011
Plaintiff's 30-Day Trial Period Ends	06/04/2011
Defendant's Pre-Trial Disclosures	06/19/2011
Defendant's 30-Day Trial Period Ends	08/03/2011
Plaintiff's Rebuttal Disclosures	08/18/2011
Plaintiff's 15-Day Rebuttal Period Ends	09/17/2011

Counsel for Opposer has consented to the instant motion via e-mail correspondence and a copy of this motion is being served via e-mail with consent upon Opposer's counsel.

Respectfully submitted,

KIRSCHSTEIN, ISRAEL,  
SCHIFFMILLER & PIERONI, P.C.

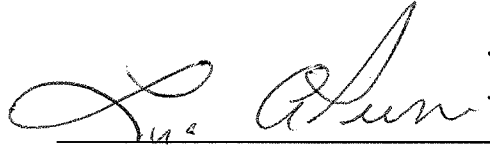
By: 

Lisa A. Pieroni  
Attorneys for Applicant  
425 Fifth Avenue  
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New York, N.Y. 10016  
(212) 697-3750

Dated: New York, New York  
September 20, 2010

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Consent Motion to Extend Discovery and Trial Periods was served upon counsel for Opposer, Rebecca A. Finkembinder, Esq., by e-mail this 20<sup>th</sup> day of September 2010 at rfinkembinder@mwn.com.

A handwritten signature in black ink, appearing to read "Lisa A. Pieroni", written over a horizontal line.

Lisa A. Pieroni